

**Congress of the United States**  
**Washington, DC 20515**

November 24, 2009

The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

**1909**

Dear Chairman Genachowski,

We write today to reiterate Hopi Telecommunications, Inc.'s request for a report from the Commission regarding the status of the petition filed by Hopi Telecommunications on October 30, 2008, for waiver of the October 1, 2008, filing deadline for its annual Section 254(e) certification of the appropriate usage of its federal high-cost support. The petition was placed on Public Notice by the Commission on December 3, 2008 (Public Notice, DA 08-2639, WC Docket No. 08-71, released December 3, 2008). Until the petition is acted upon by the Commission, Hopi Telecommunications is unable to receive approximately \$101,454 of urgently needed federal high-cost support.

Hopi Telecommunications was formed by the Hopi Tribe in order to bring quality telecommunications services, jobs and economic development to long unserved and underserved portions of the Hopi Reservation. Since 2006, Hopi Telecommunications has been serving three high-cost rural exchanges on the Hopi Reservation and a portion of Navajo Nation.

As a tribal entity, Hopi Telecommunications is not subject to the jurisdiction of the Arizona Corporation Commission and therefore required to file its own separate Section 254(e) certification. In 2008, Hopi Telecommunications inadvertently confused the Section 254(e) certification with a related Universal Service progress report due the same day. When the mistake was discovered only days later, Hopi Telecommunications promptly filed its Section 254(e) certification on October 6, 2008. It proceeded to file the subject petition when it learned that its minimal three business day delay would preclude it from receiving any federal high-cost support for the First Quarter of 2009 unless it obtained a waiver from the Commission.

At this stage of its development, Hopi Telecommunications has not been able to accumulate a substantial financial cushion and needs to continue investing significant sums to upgrade and extend its telecommunications facilities and services. The loss of approximately \$101,454 of expected revenue during the first quarter of 2009 has resulted in major hardship for the Company, and this hardship is continually exacerbated by each additional day of delay while its waiver petition remains pending.

We urge the Commission to act on Hopi Telecommunications' petition as soon as possible, and to inform us when such action can be expected.

Sincerely,



Ann Kirkpatrick



Trent Franks



OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

March 2, 2010

The Honorable Ann Kirkpatrick  
U.S. House of Representatives  
1123 Longworth House Office Building  
Washington, D.C. 20515

Dear Congresswoman Kirkpatrick:

Thank you for your letter requesting Commission action on a petition filed by Hopi Telecommunications, Inc. Rural carriers are required to make filings each year certifying that all federal universal service high-cost support they receive will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. Hopi Telecommunications' petition sought a waiver of the 2008 deadline for filing this certification.

I am pleased to report that the Commission's Wireline Competition Bureau issued an *Order* on January 22, 2010, approving Hopi Telecommunications' waiver request. The Bureau found that the waiver was warranted because Hopi Telecommunications promptly filed the required certification and revised its internal procedures to ensure that future filings will be timely filed.

I appreciate your interest in this important matter. Please do not hesitate to contact me if I can be of further assistance.

Sincerely,

A handwritten signature in blue ink, which appears to read "Julius Genachowski", is written over the word "Sincerely,".

Julius Genachowski



OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

March 2, 2010

The Honorable Trent Franks  
U.S. House of Representatives  
2435 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Franks:

Thank you for your letter requesting Commission action on a petition filed by Hopi Telecommunications, Inc. Rural carriers are required to make filings each year certifying that all federal universal service high-cost support they receive will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. Hopi Telecommunications' petition sought a waiver of the 2008 deadline for filing this certification.

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Julius Genachowski